

WATER RESOURCES RESEARCH ACT AMENDMENTS OF
1995

SEPTEMBER 8, 1995.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 1743]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1743) to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. FINDINGS.

Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) in paragraph (2), by inserting “, productivity of natural resources and agricultural systems,” after “environmental quality”;

(2) by striking out “and” at the end of paragraph (6);

(3) by striking out the period at the end of paragraph (7) and inserting “; and”; and

(4) by adding at the end the following:

“(8) long-term planning and policy development are essential to assuring the availability of an abundant supply of high quality water for domestic and other uses; and

“(9) the States must have the research and problem-solving capacity necessary to effectively manage their water resources.”.

SEC. 2. PURPOSE.

Section 103 of the Water Resources Research Act of 1984 (42 U.S.C. 10302) is amended—

(1) by striking “and” at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting “; and”; and

(3) by adding at the end the following:

“(7) encourage long-term planning and research to meet future water management, quality, and supply challenges.”.

SEC. 3. GRANTS; MATCHING FUNDS.

Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended by striking “one non-Federal dollar” and all that follows through “thereafter” and inserting “two non-Federal dollars for every Federal dollar”.

SEC. 4. GENERAL AUTHORIZATIONS OF APPROPRIATIONS.

Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking “of \$10,000,000 for each of the fiscal years ending September 30, 1989, through September 30, 1995,” and inserting “of \$5,000,000 for fiscal year 1996, \$7,000,000 for fiscal years 1997 and 1998, and \$9,000,000 for fiscal years 1999 and 2000”.

SEC. 5. COORDINATION.

Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by adding at the end the following:

“(h)(1) To carry out provisions of this Act, the Secretary—

“(A) shall encourage other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to use and take advantage of the expertise and capabilities which are available through the institutes established by this section, on a cooperative or other basis;

“(B) shall encourage cooperation and coordination with other Federal programs concerned with water resources problems and issues;

“(C) may enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

“(D) may accept funds from other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to pay for and add to grants made, and contracts entered into, by the Secretary;

“(E) may promulgate such rules and regulations as he deems appropriate; and

“(F) may support a program of internships for qualified individuals at the undergraduate and graduate level to carry out the educational and training objectives of this Act.

“(2) The Secretary shall report to Congress annually on coordination efforts with other Federal departments, agencies, and instrumentalities under paragraph (1).

“(3) Nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources.”.

PURPOSE OF THE BILL

The purpose of H.R. 1743 is to amend the Water Resources Research Act of 1984 to extend the authorization of appropriations through fiscal year 2000.

BACKGROUND AND NEED FOR LEGISLATION

The Water Resources Research Act (42 U.S.C. 10301 et seq.) was originally enacted in 1964. The Act authorizes a program of water-related research and training of scientists and engineers to enter the fields of water research and management. This is accomplished in two ways. First, the Act authorizes establishment of water resources research institutes at land grant colleges. Second, the Act authorizes the award of grant funds for research projects. The program addresses water resource management problems such as the abundance and quality of our water supplies, the sources of water contaminants and methods of remediation and the training of research scientists, engineers and technicians.

Pursuant to the Act, 54 water resources research institutes have been established: one in each State, as well as the Virgin Islands, Guam, the District of Columbia, and Puerto Rico. The institutes

are responsible for carrying out research and training activities, and working closely with colleges and universities. They are under the general guidance of the Secretary of the Interior. The institutes receive grants disbursed by the Secretary which must be matched dollar-for-dollar, by non-Federal dollars.

This is a useful program because research from the water institutes is often directed at finding real solutions to water problems. In addition, the program is popular because land grant colleges in every state benefit from the program, and a relatively small annual Federal investment is needed to maintain the program. Research results from the program are often applied to real-world problems in water management. Congressional action is needed if the program is to be continued since the current authorization expires at the end of this fiscal year.

In 1991, the National Academy of Science's National Research Council released a report with recommendations to advise the Water Resources Division (WRD) of the U.S. Geological Survey (USGS) on how it could marshal its resources most effectively to confront emerging water resources problems. The National Research Council believes WRD should continue to administer the grants program authorized under the Water Resources Research Act. The report stated that the arrangement between USGS and the institutes is a benefit to the university research community, states and regions where institutes are located, and to the water resources profession in general.

In administering the state water resources research institute program, the Interior Department and USGS have distributed funds appropriated for the institutes equally among participants. The state institutes, in turn, award research funds through a competitive, peer review process. Each institute maintains one or more advisory panels comprised of local, state, and Federal water officials, and representatives from water user groups, among others. Annually these groups develop research priorities and review the allocation of funds among various competing projects. In this way, individual state institutes are able to focus grants on research that addresses the most pressing water problems and issues affecting the host state.

This plan has worked well, but, as funding to support water resources research becomes more limited, the Department should develop plans to strengthen competition in the distribution of Federal funds to the water resources research institutes. Since the research agenda for this program is established by each state to meet the individual state's needs, the Department should take great care to ensure that it does not impose new restrictions on state water resources research programs and that it considers the priorities and funding recommendations of the state advisory panel. The Department shall maintain a level of funding for the institutional grants at each institute sufficient to maintain the basic network infrastructure for efficient state, regional, and national research coordination, collaboration, education and information transfer.

States are also encouraged to continue their interstate cooperation under this program to address regional and national issues affecting their individual states. By continuing these collaborative efforts, they can address critical issues on long-term water planning

and supply that may exceed the resources of one state. The Committee anticipates that the Department and other Federal agencies will also cooperate with the institutes on these issues.

COMMITTEE ACTION

H.R. 1743 was introduced on June 6, 1995, by Congressman Doolittle. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power Resources. On June 8, 1995, the Subcommittee held a hearing on H.R. 1743, where the Administration testified in opposition to the legislation, since "funds for the Institute Program have been proposed for termination in the President's budget in both fiscal year 1995 and 1996." During the hearing, the Administration witness did respond that the program was a useful contribution to the overall research effort. Witnesses on behalf of the National Association of State Universities and Land Grant Colleges and the Water Science and Technology Board of the National Research Council testified in support of H.R. 1743. On July 13, 1995, the Subcommittee met to mark up H.R. 1743. Congressman Doolittle offered *en bloc* amendments to clarify that the Water Resources Research Act of 1984 does not preempt State rights and authority to their water resources and to strike a separate authorization of funds for research focused on interstate water issues. The *en bloc* amendments were adopted by voice vote. The bill was then ordered favorably reported to the Full Committee. On August 2, 1995, the Full Resources Committee met to consider H.R. 1743. No further amendments were offered. The bill, as amended, was then ordered favorably reported to the House of Representatives, in the presence of a quorum by voice vote.

SECTION-BY-SECTION ANALYSIS

SECTION 1. FINDINGS

The Water Resources Research Act sets forth a number of benefits to be achieved through water resources research. This section adds the goals of encouraging management of water resources for the productivity of agricultural and natural resources systems and strengthening long-term water resources planning, policy development, and problem-solving capacity for the use of states.

SECTION 2. PURPOSE

The existing Act declares its purpose to be to "assist the nation and the States in augmenting their water resources science and technology" as a way to achieve certain objectives. This section adds as an additional objective long-term planning and research to meet future water management, quality and supply challenges.

SECTION 3. GRANTS; MATCHING FUNDS

The current Act authorizes the Secretary of the Interior to establish water resources research and technology institutes at a land-grant institution in each state or another institution designated by a state's legislature or governor. This section makes permanent the

requirement that recipients of the Federal grant match the grant on the basis of two non-Federal dollars to each Federal dollar.

SECTION 4. GENERAL AUTHORIZATION OF APPROPRIATIONS

The current authorization for the institutes is \$10 million annually to cover all general water research. H.R. 1743 restructures the funding for the program and provides for funding from 1996 through 2000. This section authorizes the institutional grants program at \$5,000,000 in fiscal year 1996, \$7,000,000 in fiscal years 1997 and 1998, and \$9,000,000 in fiscal years 1999 and 2000.

The current authorization also provides for a \$5 million regional competitive grant program for research on interstate water problems. This provision is not included in H.R. 1743. The interstate grant program has not received any funding in recent years.

SECTION 5. COORDINATION

This section directs the Secretary of the Interior to encourage other Federal departments and agencies to take advantage of the expertise and capabilities of the state water resources research institutes and to facilitate cooperation with other Federal water resources programs. It establishes a mechanism for contracts and cooperative agreements between the Department and other agencies to achieve better coordination.

It authorizes the Secretary to establish an internship program for qualified undergraduate and graduate students. It directs the Secretary to report to Congress each year on these coordination efforts. Finally, the bill states that nothing in the Act shall preempt the rights and authorities of any state with respect to its water resources or management of those resources.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 1743 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives require an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1743. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1743 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1743.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1743 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 22, 1995.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1743, a bill to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes.

Enacting H.R. 1743 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1743.

2. Bill title: A bill to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes.

3. Bill status: As ordered reported by the House Committee on Resources on August 2, 1995.

4. Bill purpose: The bill would authorize the Secretary of the Interior to provide grants to water resources research and technology institutes in the amount of \$5 million in fiscal year 1996, \$7 million in fiscal years 1997 and 1998, and \$9 million in fiscal years 1999 and 2000. The current authorization of \$10 million per year expires in 1995. The bill also would define further the purpose of federally sponsored water resources research and it would make permanent a provision that all grants be matched two-to-one by nonfederal dollars.

5. Estimated cost to the Federal Government: CBO estimates that the Federal Government would spend \$37 million to implement this bill over the 1996–2000 period. This estimate assumes appropriation of the authorized amounts and spending at rates consistent with historical experience.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Spending Under Current Law:						
Budget authority ¹	5	0	0	0	0	0
Estimated outlays	5	0	0	0	0	0
Proposed Changes:						
Authorization level	0	5	7	7	9	9
Estimated outlays	0	5	7	7	9	9
Spending Under H.R. 1743:						
Authorization level ¹	5	5	7	7	9	9
Estimated outlays	5	5	7	7	9	9

¹ The 1995 level is the amount appropriated for that year.

The costs of this bill fall within budget function 300.

6. Pay-as-you go considerations: None.

7. Estimated cost to State and local governments: None.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Gary Brown.

11. Estimate approved by: Robert A. Sunshine for Paul N. Van de Water, Assistant Director for Budget Analysis.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 1743.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WATER RESOURCES RESEARCH ACT OF 1984

TITLE I

* * * * *

SEC. 102. The Congress finds and declares that—

(1) * * *

(2) the management of water resources is closely related to maintaining environmental quality, *productivity of natural resources and agricultural systems*, and social well-being;

* * * * *

(6) it is necessary to provide for the research and development of technology for the conversion of saline and other impaired waters to a quality suitable for municipal, industrial, agricultural, recreational, and other beneficial uses; [and]

(7) the Nation must provide programs to strengthen research and associated graduate education because the pool of sci-

entists, engineers, and technicians trained in fields related to water resources constitutes an invaluable natural resource which should be increased, fully utilized, and regularly replenished[.]; and

(8) long-term planning and policy development are essential to assuring the availability of an abundant supply of high quality for domestic and other uses; and

(9) the States must have the research and problem-solving capacity necessary to effectively manage their water resources.

SEC. 103. It is the purpose of this Act to assist the Nation and the States in augmenting their water resources science and technology as a way to—

(1) * * *

* * * * *

(5) to promote more effective coordination of the Nation's water resources research program; [and]

(6) promote the development of a cadre of trained research scientists, engineers, and technicians for future water resources problems[.]; and

(7) encourage long-term planning and research to meet future water management, quality, and supply challenges.

SEC. 104. (a) * * *

* * * * *

(c) From the sums appropriated pursuant to subsection (f) of this section, the Secretary shall make grants to each institute to be matched on a basis of no less than [one non-Federal dollar for every Federal dollar during the fiscal years ending September 30, 1985, and September 30, 1986, one and one-half non-Federal dollars for each Federal dollar during the fiscal years ending September 30, 1987, and September 30, 1988, and two non-Federal dollars for each Federal dollar during the fiscal year ending September 30, 1989 and thereafter] *two non-Federal dollars for every Federal dollar*; such sums to be used only for the reimbursement of the direct cost expenditures incurred for the conduct of the water resources research program.

* * * * *

(f)(1) For the purpose of carrying out this section, there is authorized to be appropriated to the Secretary the sum [of \$10,000,000 for each of the fiscal years ending September 30, 1989, through September 30, 1995] *of \$5,000,000 for fiscal year 1996, \$7,000,000 for fiscal years 1997 and 1998, and \$9,000,000 for fiscal years 1999 and 2000*, such sums to remain available until expended.

* * * * *

(h)(1) To carry out provisions of this Act, the Secretary—

(A) shall encourage other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to use and take advantage of the expertise and capabilities which are available through the institutes established by this section, on a cooperative or other basis;

(B) shall encourage cooperation and coordination with other Federal programs concerned with water resources problems and issues;

(C) may enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

(D) may accept funds from other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to pay for and add to grants made, and contracts entered into, by the Secretary;

(E) may promulgate such rules and regulations as he deems appropriate; and

(F) may support a program of internships for qualified individuals at the undergraduate and graduate level to carry out the educational and training objectives of this Act.

(2) The Secretary shall report to Congress annually on coordination efforts with other Federal departments, agencies, and instrumentalities under paragraph (1).

(3) Nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources.

* * * * *

